

R5A An Ordinance Amending Chapter 50 Of The City Of Miami Beach Code By Amending Section 50-3 Thereof Entitled "Plans Examination, Inspections, Permits", And By Amending Appendix A Entitled "Fee Schedule", By Amending Sections 50-3(b) Through 50-3(n) Entitled "Chapter 50: Fire Prevention And Protection", Providing For An Increase In Permit And Inspection Fees For Fire Permits And For Other Fire Department Activities; Providing For Repealer, Severability, Codification, And An Effective Date. (Page) **First Reading.**
(Fire Department)
(Ordinance)

R5B An Ordinance Amending Chapter 110 Of The City Of Miami Beach City Code Entitled "Utilities," Amending Article IV Entitled "Fees, Charges, Rates And Billing Procedures, Division 2. Rates, Fees and Charges," To Increase The Water Supply Service Charge Imposed By The City; Adjusting The Schedule Of Rates For The Minimum Monthly Water Service Charge; And Increasing The Sanitary Sewer Service Charge Imposed By The City; Providing For Codification, Repealer, Severability, And An Effective Date. **First Reading.**
(Public Works)
(Ordinance & Memo)

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 50 OF THE CITY OF MIAMI BEACH CODE BY AMENDING SECTION 50-3 THEREOF, ENTITLED "PLANS EXAMINATION, INSPECTIONS, PERMITS", AND BY AMENDING APPENDIX A, ENTITLED "FEE SCHEDULE"; BY AMENDING SECTIONS 50-3(b) THROUGH 50-3(n), ENTITLED "CHAPTER 50: FIRE PREVENTION AND PROTECTION", PROVIDING FOR AN INCREASE IN PERMIT AND INSPECTION FEES FOR FIRE PERMITS AND FOR OTHER FIRE DEPARTMENT ACTIVITIES; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City of Miami Beach has not increased permit fees since September 16, 1992, and the cost associated with running the fire plan review section of the Fire Department has increased significantly since that time; and

WHEREAS, the City's consultant, JRD & Associates, Inc., has analyzed the City's permit fees and compared them to similar fees charged by other municipalities and has recommended a 15% increase across the board and, where necessary, additional increases to make fees comparable with other municipalities; and

WHEREAS, on July 16, 2002, the City's Finance and Citywide Projects Committee directed the City Administration to draft an amendment to the fire permit fee ordinance, increasing fees by 15% in order to recover some of the costs associated with running the fire plan review section of the Fire Department; and

WHEREAS, the City Administration recommends that the City Commission approve the proposed Ordinance, which would amend Section 50-3 of Chapter 50 of the City of Miami Beach Code, entitled "Plans Examination, inspections, permits", and Appendix A entitled "Fee Schedule", by amending Sections 50-3(b) through 50-3(n), entitled "Chapter 50: Fire Prevention and Protection", to provide for an increase in fees for Fiscal Year 2003-2004.

NOW, THEREFORE, BE IT DULY ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA:

SECTION 1. AMENDMENT OF Section 50-3 of Chapter 50

That Section 50-3 of the Code of the City of Miami Beach is hereby amended to read as follows:

Sec. 50-3. Plans examination, inspections, permits.

(a) **Levied.** Permits, inspections and other fees of the Fire Department of the City are hereby levied and imposed and shall apply to building and fire permits and other activities undertaken by that Department.

(b) **Double fees.** When work for which a permit is required is commenced prior to the obtaining of a permit, the permit applicant shall be required to pay a double permit fee as specified in this article. The payment of the required fee shall not relieve any person, firm or corporation from fully complying with all of the applicable regulations and codes, nor shall it relieve them from being subject to any of the penalties therein. The double fee requirement shall be applicable as noted herein. For a second offense of doing work without a permit, the permit applicant shall be required to pay twice the double permit fee. For each subsequent offense, the permit applicant shall be required to pay twice the double permit fee.

(c) **Reinspection fee.** When extra inspection trips are necessary due to incorrect address given on a call for inspection, prior rejection of work due to faulty construction, work not being ready for inspection at time specified, failure to call for final or other inspections, or required corrections not being made or completed at the time specified by the contractor, a fee as specified in Appendix A for the second reinspection may be charged to the permit holder in the trade concerned. Payment of the reinspection fee shall be required before any permits will be issued to the person owing the fee. Further inspection may be refused until payment of reinspection fees has been made.

(d) **Lost plans fee.** When permitted set of plans for fire protection systems are lost by the applicants, owners, contractors, or any other representative of the projects, a recertification fee will be required to review, stamp and approve a new set of plans as a field copy. Such fee shall be based on 25 percent of the original fire permit fee as specified in Appendix A.

(e) **Revised plans processing fee.** The charge for plans processing of revisions to plans re-processed and permitted shall be based on total actual time spent on review by plans examiners multiplied by plans review fee hourly rate as specified in Appendix A.

(f) **Lost permit card fee.** If the permit inspection card is lost after the permit has been issued, a replacement fee as specified in Appendix A shall be charged. This fee is charged to cover the cost of researching inspection approvals and re-signing the card.

(g) **Special inspection fee.** A fee equal to actual staff time and related costs shall be assessed for special inspections that are outside the normal scope of fire department work. A minimum fee as specified in appendix A shall be charged. Requests submitted by developers, attorneys, realtors or contractors to inspect a building to determine existing violations shall be considered special inspections.

(h) **Inspection fee hourly rate.** The inspection fee hourly rate, as specified in Appendix A, is determined at the beginning of each fiscal year based on the department's total projected expenditures, indirect costs and the resources assigned to the inspection program.

(i) **Plans review fee hourly rate.** The plan review fee hourly rate, as specified in Appendix A, is determined at the beginning of each fiscal year based on the department's total projected expenditures, indirect costs and the resources assigned to the plans review program.

(j) **Plans re-review fee.** When extra plans reviews are due to failure to correct code violation specifically and continuously noted in each rejection, a fee shall be charged as specified in Appendix A. Each time after the third such review that plans are rejected for the same code violation, a fee of four times the cost associated with the specific plans review shall be charged. The cost is calculated based on

the actual time spent by plans examiners multiplied by the plans review fee hourly rate, as specified in Appendix A.

(k) *Temporary Certificate of Occupancy inspection fee.* Whenever the contractor requests a temporary certificate of occupancy that requires a fire inspection approval, a fee shall be charged as specified in Appendix A.

(l) *Refunds, time limitations, cancellations.* The fees charged pursuant to this Code, may be refunded by the Fire Official subject to the following:

(1) No refunds shall be made on requests involving:

- (a) Permit fees of \$75.00 or less; or
- (b) Permits revoked by the Fire or Building Officials; or
- (c) Permits cancelled by court order; or
- (d) Permits which have expired; or
- (e) Permits under which work has commenced as evidenced by any recorded inspection having been made by the department.

(2) A full refund shall be granted to a permit holder who takes out a permit covering work outside the jurisdictional inspection area.

(3) A full refund less \$75.00 or 30 percent of the permit fee, whichever amount is greater, rounded down to the nearest dollar shall be granted to a permit holder who requests a refund in writing, provided:

- (a) That the permit holder makes a written request prior to the permit expiration date; and,
- (b) That a validated copy of the permit be submitted with such request; and,
- (c) That no work as evidenced by any recorded inspection has commenced under such permit.

(4) Where there is a change of contractor involving a permit for which a fee of more than \$50.00 was paid:

(a) The original permit holder:

- 1. Is not entitled to any refund if the permit has expired or if work, as evidenced by any recorded inspection, has commenced under such permit;
- 2. Is entitled to a full refund, where the permit has not expired and no work, as evidenced by any recorded inspection, has commenced.

(b) The second permit holder shall pay:

- 1. A full fee if the original permit has expired; or
- 2. A fee specified in Appendix A to cover the cost of transferring the data from the original to the second permit and processing the second permit in instances where work, as evidenced by any recorded inspection, has commenced under the original unexpired permit;
- 3. A full fee as specified in Appendix A to cover the transferring and reprocessing costs where no work, as evidenced by any recorded inspection has commenced under the original unexpired permit.

(5) A fee as specified in Appendix A shall be paid by the permit holder who submits a written request for a permit extension.

(6) Where a permit has become null and void or expires, and no work, as evidenced by at least one recorded inspection, has been made by the department, a credit of 50 percent of the original permit fee covering the same project and involving the same plans shall be given, provided that a complete reapplication is made within 180 days of the expiration date of the original permit and provided that no refund has been made according to this section. The reapplication must be

submitted with the plans and the applicant's validated copy of the original permit. The amount of this fee shall be, at least, equal to or higher than the minimum fee for the trade concerned.

- (m) New building and/or additions:
 - (1) Fees for new building and/or additions are as specified in Appendix A.
 - (2) For greenhouses and nonresidential buildings used for agricultural purposes and screened enclosures and trailer additions when located on the premises so used, the fee shall be as specified in Appendix A.
- (n) New construction other than as specified in this section. See Appendix A.
- (o) Alterations and repairs to buildings and other structures. See Appendix A.
- (p) Hydrant flow tests unless in conjunction with acceptance test for sprinkler systems. See appendix A.
- (q) Plan Review and Acceptance test for sprinkler or standpipe systems. See Appendix A.
- (r) Plan Review and Acceptance test for alarm systems. See Appendix A.
- (s) Fire extinguishing systems. See Appendix A.
- (t) Periodic fire standpipe system test. On existing buildings, this test is required every two years. See Appendix A.
- (u) Fireworks permit, public display. See appendix A.
- (v) Open burning permit. See Appendix A.

(Code 1964, § 14-7)

SECTION 2. AMENDMENT OF APPENDIX A TO SECTIONS 50-3(a) THROUGH 50-3(n) ENTITLED "Chapter 50: Fire Prevention and Protection"

That Appendix A to Sections 50-3(a) through 50-3(n), entitled "Fire Prevention and Protection" is hereby amended as follows:

APPENDIX A FEE SCHEDULE

FEE SCHEDULE

This appendix includes all fees and charges established by the City Commission that are referred to in the indicated sections of the Code of Ordinances:

Chapter 50. Fire Prevention and Protection Section of City Code Description		Amount
50-3(d)	Lost plan fee	25% of original permit fee
50-3(e)	Revised plan processing fee	Based on actual time spent by plans examiner multiplied by plans review fee hourly rate (rounded to nearest 15 minutes)
50-3(f)	Lost permit card fee:	
	Research per hour (Minimum of one hour)	30.00
50-3(h)	Inspection hourly rate:	50.00
	The inspection fee hourly rate is calculated at the beginning of each fiscal year by the Building Department.	
50-3(i)	Plan review hourly rate:	50.00
	The plan review fee hourly rate is calculated at the beginning of each fiscal year by the Building Department.	
50-3(j)	Plan re-review fee:	Based on 4 times the cost of plan review, which is actual time spent by plans examiner times plan review hourly rate.

50-3(k)	Temporary certificate of occupancy inspection (No fee charged if final certificate of occupancy is less than \$100.00)	50.00
	Request for permit extensions	75.00
50-3(m)	New building and/or additions:	
50-3(m)(1)	For each 100 square feet or part of floor area.....	1.10
	Minimum.....	35.00
50-3(m)(2)	For greenhouses and nonresidential buildings used for agricultural purposes and screened enclosures and trailer additions on the same premises, per 100 square feet of floor area.....	0.55
50-3(n)	Other new construction:	
	Water towers, pylons, bulk storage, tank foundations, seawalls, bulkheads, unusual limited-use buildings, freestanding rigid canopies,, marquees and similar construction, for each \$1,000.00 of estimated cost or fractional part.....	1.10
	Except for each service station underground storage tank and each approved fallout shelter conforming to the specifications established by the Civil Defense and Mobilization Agency and the Florida Building Code.....	11.00
50-3(o)	Alterations and repairs to buildings and other structures:	
	Up to \$1,000.00 of estimated cost or fractional part.....	5.50
	For each additional \$1,000.00 of estimated cost or fractional part.....	1.10
50-3(p)	Hydrant flow tests unless in conjunction with acceptance test for sprinkler systems.....	170.00
50-3(q)	Plan review fee for sprinkler or standpipe systems:	
	Fire sprinkler system connection to City Water	75.00
	Water supply to fire pump or system	45.00

	Each standpipe	75.00
	Each hose rack	25.00
	Each sprinkler head	1.70
	Fee for work not listed above is based on 4% of estimated value of work.	
	Minimum fee	40.00
50-3(q)	Acceptance test for sprinkler or standpipe systems.....	170.00
	Fire Pump test	130.00
50-3		
50-3(r)	Plan review fee for fire alarm systems:	
	Installation of Fire Alarm panel, each	30.00
	Smoke detector, each	3.00
	Speaker or horn, each	3.00
	Strobe, each	3.00
	Bell alarm, each	3.00
	Pull station, each	3.00
	Fee for work not listed above is based on 4% of estimated value of work.	
	Minimum fee	40.00
50-3(r)	Acceptance test for alarm systems:	
	1 and 2 floors.....	55.00
	3 to 5 floors.....	85.00
	6 floors and above	170.00
50-3(s)	Each automatic fire extinguishing system excluding sprinkler systems, such as carbon dioxide, dry chemical, halon, etc.....	85.00
50-3(c)	Reinspection fee:	
		0.00
	Second reinspection fee.....	*based on 4 times the cost of the 1 st inspection or 1 st re-

inspection,
whichever is
greater

Subsequent reinspections fee

*based on 4
times the cost
of the 1st
inspection or
1st re-
inspection,
whichever is
greater

*cost of inspection is calculated based on the
actual time spent by the inspector multiplied
by the inspection hourly rate (rounded to
nearest 15 minutes).

50-3(g)	Special inspection fee: Equal to actual staff time and related costs; Minimum fee per hour.....	25.00
50-3(t)	Periodic fire standpipe system test:	
	Single riser.....	140.00
	Each additional riser.....	25.00
50-3(u)	Fireworks permit, public display.....	50.00
50-3(v)	Open burning permit.....	50.00

SECTION 3. REPEALER

All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

SECTION 4. SEVERABILITY

If any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity or the remaining portions of this ordinance.

SECTION 5. CODIFICATION

It is the intention of the Mayor and City Commission of the City of Miami Beach, and it is hereby Ordained the provisions of this Ordinance shall become and be made part of the Code of the City of Miami Beach, Florida. The sections of this Ordinance may be renumbered or relettered to accomplish such intentions and the word "ordinance" may be changed to "section", "article", or other appropriate word.

SECTION 6. EFFECTIVE DATE.

This Ordinance shall take effect on _____, 2003.

PASSED and ADOPTED this _____ day of 2003.

Attest:

CITY CLERK

1st reading
2nd reading

Mayor

**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**



City Attorney



Date

9-2-03

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING APPENDIX A TO SECTION 110-166(a) ENTITLED "SCHEDULE OF WATER RATES AND TAPPING CHARGES" OF DIVISION 2. ENTITLED "RATES, FEES AND CHARGES" OF CHAPTER 110 OF THE MIAMI BEACH CITY CODE ENTITLED "UTILITIES" IN ORDER TO INCREASE MINIMUM MONTHLY SERVICE CHARGE IMPOSED BY THE CITY; ADJUSTING THE SCHEDULE OF RATES FOR THE MINIMUM MONTHLY WATER SERVICE CHARGE; AND INCREASING THE SANITARY SEWER SERVICE CHARGE IMPOSED BY THE CITY; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners for Miami-Dade County will consider a proposal for wastewater and water rate adjustments for fiscal year 2003/2004 which will have an impact on the rates charged by the City; and

WHEREAS, the schedule of rate increases provided herein provides for the increase in wholesale rates to be charged to the City by the County and the payment of principal and interest for the 1995 Water and Sewer Revenue Bonds and Series 2000 Water and Sewer Revenue Bonds; and

WHEREAS, the rate increase provided herein includes the increase proposed by the Miami-Dade Board of County Commissioners for water and wastewater; and

WHEREAS, the rate increases provided herein also include payment of the County's Department of Environmental Resources Management fee.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA as follows:

SECTION 1: That Appendix A to Article IV, Division 2, of Chapter 110 of the Miami Beach City Code is hereby amended as follows:

Appendix A – Fee Schedule

* * *

Section
This Code

Description

Amount

Article IV, Fees, Charges, Rates and Billing Procedure
Division 2. Rates, Fees and Charges

Agenda Item R5B
Date 9-4-3

110-166(a) Minimum Service Charge: Effective for billings on or after October 1, 2003

Size of Meter	Gallons of Water per Month	Minimum Monthly Service Charge	
3/4"	5,000	11.80	<u>11.89</u>
1"	7,000	16.52	<u>16.61</u>
1.5"	11,000	25.96	<u>26.05</u>
2"	17,000	40.12	<u>40.21</u>
3"	40,000	94.40	<u>94.49</u>
4"	80,000	188.80	<u>188.89</u>
6"	120,000	383.20	<u>383.29</u>
8"	200,000	472.00	<u>472.09</u>

Minimum Service Charge: Effective for billings on or after October 1, 2004

Size of Meter	Gallons of Water per Month	Minimum Monthly Service Charge	
3/4"	5,000	12.05	<u>12.14</u>
1"	7,000	16.87	<u>16.96</u>
1.5"	11,000	26.51	<u>26.60</u>
2"	17,000	40.97	<u>41.06</u>
3"	40,000	96.40	<u>96.49</u>
4"	80,000	192.80	<u>192.89</u>
6"	120,000	289.20	<u>289.29</u>
8"	200,000	482.00	<u>482.09</u>

Minimum Service Charge: Effective for billings on or after October 1, 2005

Size of Meter	Gallons of Water per Month	Minimum Monthly Service Charge	
3/4"	5,000	12.30	<u>12.39</u>
1"	7,000	17.22	<u>16.79</u>
1.5"	11,000	27.06	<u>26.23</u>
2"	17,000	41.82	<u>40.39</u>
3"	40,000	98.40	<u>94.67</u>
4"	80,000	196.80	<u>189.07</u>
6"	120,000	295.20	<u>283.47</u>
8"	200,000	492.00	<u>472.27</u>

110-166(b) Water in excess of subsection 110-166(a) shall be as follows: ~~\$2.36~~
~~\$2.45~~ per 1,000 gallons, effective with billings on or after October 1, 2003; ~~\$2.41~~
~~\$2.50~~ per 1,000 gallons effective with billings on or after October 1, 2004; ~~\$2.46~~
~~\$2.55~~ per 1,000 gallons effective with billings on or after October 1, 2005.

110-168(a) Sanitary Sewer Service charge, shall be as follows: ~~\$3.99~~ \$4.03 per
1,000 gallons effective with billings on or after October 1, 2003; ~~\$4.08~~ \$4.12 per
1,000 gallons effective with billings on or after October 1, 2004; ~~\$4.17~~ \$4.21 per
1,000 gallons effective with billings on or after October 1, 2005.

SECTION 2. CODIFICATION.

It is the intention of the Mayor and City Commission of the City of Miami Beach, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code of the City of Miami Beach, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section", "article" or other appropriate word.

SECTION 3. REPEALER.

All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

SECTION 4. SEVERABILITY.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is, for any reason, held invalid or unconstitutional, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity or constitutionality of the remaining portions of this Ordinance

SECTION 5. EFFECTIVE DATE.

This Ordinance shall take effect on the 1st day of October 2003.


PASSED and **ADOPTED** this _____ day of _____, 2003.

MAYOR

ATTEST:

**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**

CITY CLERK


City Attorney
9-3-02
Date

CITY OF MIAMI BEACH
Office of the City Manager
Interoffice Memorandum



To: Mayor David Dermer and
Members of the City Commission

Date: September 3, 2003

From: Jorge M. Gonzalez
City Manager

A handwritten signature in black ink, appearing to read "Jorge M. Gonzalez", written over the printed name.

**Subject: SUPPLEMENTAL MATERIAL TO AGENDA ITEM R5B - SPECIAL
COMMISSION MEETING OF SEPTEMBER 4, 2003**

The information below is an example of the additional costs of this Ordinance on a typical family residence in Miami Beach:

Per existing City Ordinance, water and wastewater rates are scheduled to increase on October 1, 2003. A typical family residence using 11,000 gallons monthly would see their bill for water and wastewater increase from \$68.31 to \$69.85, or 34 cents. In addition, the County is proposing to increase the water rate by 9 cents per 1,000 gallons of water, and 4 cents per 1,000 gallons of treated wastewater. This 13 cents pass through would add an additional 53 cents to a typical family residence, increasing the bill to \$70.38.

A handwritten signature in black ink, appearing to read "JMG/RCM/sam", written over the printed text.
JMG/RCM/sam
watermcsupple